REMARKS

Reconsideration and allowance of the above-referenced application are respectfully requested.

I.   STATUS OF THE CLAIMS

Claims 1, 2, 8, and 9 are cancelled herein without prejudice or disclaimer.

Claims 3-7 and 10-18 are amended herein.

In view of the above, it is respectfully submitted that claims 3-7 and 10-18 are currently pending and under consideration.

II.   ABSTRACT

The Abstract is objected to because of undue length. The Abstract is amended herein to meet the requirements as set forth in MPEP § 608.01(b) and overcome the objection.

III.   CLAIM OBJECTIONS

Claims 8-14 are objected to under 37 C.F.R. § 1.75 as being of improper dependent form for failing to further limit the subject matter of a previous claim. Claims 8-14 are either cancelled or amended herein to overcome the claim objections.

In view of the above, it is respectfully submitted that the objection is overcome.

IV.   REJECTION OF CLAIMS 1, 2, 8, AND 9 UNDER 35 U.S.C. § 101

Claims 1, 2, 8, and 9 are cancelled herein.

In view of the above, it is respectfully submitted that the rejection is overcome.

V.   REJECTION OF CLAIMS 1-18 UNDER 35 U.S.C. § 112, SECOND PARAGRAPH

Claims 1-18 are either cancelled or amended herein to overcome the rejection.

In view of the above, it is respectfully submitted that the rejection is overcome.

VI.   REJECTION OF CLAIMS 1-18 UNDER 35 U.S.C. § 102(B) AS BEING ANTICIPATED BY "FORECASTING AND ANALYSIS OF MARKETING DATA USING NEURAL NETWORKS," YAO ET AL. (1998)

Applicants agree that Yao describes a market prediction method using a neural network. However, there is nothing in the Yao reference that discusses a prediction of "a new product" or

a prediction of "initial input of a new product" as recited in claim 3 of the present invention. Yao is clearly directed to a technology for realizing a conventional method for predicting market demand by using a neural network.

In item 10 on pages 7-8 of the Office Action, the Examiner indicates that Yao teaches the features recited in claim 1 of the present invention.

By contrast, there is no description in Yao concerning "a new product" in paragraphs 1, 2, or 14, which the Examiner relies upon. Also, it is apparent that the contents of "Table 2" are values obtained by past statistics, according to the description "[t]hey were obtained from the company and some publications" in paragraph 15 and the fact that Table 1 is directed to the data of one by one quarter of the year.

It is submitted that taking a result as a processing object, which is obtained with evaluations by a plurality of people based on numerical values is not described by Yao.

Paragraph 20 of Yao is directed to general matters in inputting data into a neural network. However, nothing in paragraph 20 of which the Examiner relies upon teaches or suggests taking evaluations of each of one or more people as objects as taught by the present invention.

The Examiner further relies upon paragraph 40 and Tables 8 to 10 of Yao, which are directed to general matters concerning neural networks. However, nothing in paragraph 40 and Tables 8 to 10 teaches or suggests anything regarding evaluations of each of more than one people as taught by the present invention.

As to Fig. 3 of Yao, the predicted sales amount is not directed to "new products" as taught by the present invention and is instead, directed to the past sales amounts of already existing products. Moreover, there is no description that the predicted sales amount is based on evaluations of each of plural people.

In paragraphs 23, 29, and Fig. 2 of Yao, the words "hidden layer" is found. However, it merely means "a hidden layer " of a neural network. By contrast, the present invention teaches that the sales volume or market shares of a new product ("calculated for said more than one people by said structural neural network") are layered out (see, for example, claim 3), but does not refer to "a hidden layer" of a neural network.

Paragraphs 27, 29, and 40, and Figs. 2 and 3 of Yao are directed to the prediction of existing products and not to a "new product."

Paragraphs 21, 38, and 40, and Table 10 and Fig. 3 of Yao are also not directed to a

"new product." Moreover, the "layering" discussed in paragraphs 21, 38, and 40, and Table 10 and Fig. 3 of Yao means a "hidden layer" of a neural network as mentioned above and which is different from the present invention.

It is submitted that Yao teaches a technology, which realizes a conventional prediction method by using a neural network and fails to teach or suggest anything regarding "a new product." The present invention, however, adopts a structure wherein the input amount of a new product is predicted based on the result having the highest hitting rate among the prediction results of one or more people. Yao is fundamentally different from the present invention and fails to teach or suggest any of the features recited in claims 3-7 and 10-18.

In view of the above, it is respectfully submitted that the rejection is overcome.

VII. CONCLUSION

In view of the foregoing amendments and remarks, it is respectfully submitted that each of the claims patentably distinguishes over the prior art, and therefore defines allowable subject matter. A prompt and favorable reconsideration of the rejection along with an indication of allowability of all pending claims are therefore respectfully requested.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Date: _____1 - 3 - 06_____   By: _____Derrick L. Fields_____
                                    Derrick L. Fields
                                    Registration No. 50,133

1201 New York Avenue, NW, Suite 700
Washington, D.C. 20005
Telephone: (202) 434-1500
Facsimile: (202) 434-1501